

Message Text

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AMEMBASSY OTTAWA

AMEMBASSY STOCKHOLM

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FOLLOWING REPEAT STATE 024153 ACTION ANKARA LONDON MEXICO

PARIS INFO BANGKOK BERITU CAIRO LAGOS LIMA GENEVA NAIROBI

NEW DELHI SANTIAGO RABAT USUN 05 FEB

QUOTE

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E.O. 11652: S/A

TAGS: SNAR, UN

SUBJECT: COMMISSION ON NARCOTIC DRUGS (FEB. 18 -
MARCH 1) AGENDA ITEM 11, PERIODICITY

1. DURING PREVIOUS REGULAR SESSION CND IN JANUARY 1973,
MEXICAN DELEGATION INTRODUCED DRAKT RESOLUTION PROPOSING
THAT ECOSOC AUTHORIZE ANNUAL SESSIONS OF CND. USG DIS-
AGREED BECAUSE OF ITS SUPPORT FOR PRINCIPLE THAT SUB-
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SIDIARY BODIES OF ECOSOC LIKE CND SHOULD MEET EVERY OTHER

YEAR. ISSUE WAS RESOLVED BY CALLING FOR SPECIAL SESSION OF CND THIS YEAR, WHERE ISSUE OF DETERMINING PERIODICITY OF CND WOULD BE CONSIDERED AS MATTER OF PRIORITY.

2. US HAS STUDIED QUESTION AND STILL BELIEVES IT NECESSARY TO SUPPORT PRINCIPLE THAT SUBSIDIARY BODIES OF ECOSOC MEET BIENNIALY AS REGULAR PRACTICE. WE AGREE THAT DURING PRESENT DRUG CRISIS, ADDITIONAL SESSIONS ARE NEEDED, BUT WE BELIEVE NEED CAN BE FILLED BY SPECIAL SESSIONS. ACTION ADDRESSEES ARE REQUESTED TO DISCUSS US POSITION WITH HOST GOVERNMENTS TO ELICIT AND REPORT REACTION AND COMMENTS. INFO ADDRESSEES (EXCEPT USUN AND GENEVA) MAY UTILIZE US POSITION IN DISCUSSIONS WITH HOST GOVERNMENTS, ALL OF WHICH SUPPORT MEXICAN DRAFT RESOLUTION AT 1973 CND MEETING. POSITIONS AND COMMENTS OF THESE GOVERNMENTS WOULD BE WELCOME. USUN AND GENEVA MAY DISCUSS WITH REPRESENTATIVES OF INTERNATIONAL ORGANIZATIONS.

3. US POSITION. BACKGROUND. US HAS LONG SUPPORTED PRINCIPLE INCORPORATED IN ECOSOC RESOLUTIONS OF 1966 AND 1973 THAT ECOSOC SUBSIDIARY BODIES MEET BIENNIALY, ON GROUNDS THAT FREQUENT MEETINGS IMPOSE STRAINS ON UN BUDGET AND THAT BIENNIAL MEETINGS ARE SUFFICIENT TO PERFORM WORK REQUIRED. WE WISH MAINTAIN THIS PRINCIPLE WHILE RECOGNIZING NEED FOR ANNUAL CND MEETINGS FOR DURATION PRESENT DRUG EPIDEMIC, THROUGH DEVICE OF CONVENING SPECIAL SESSIONS AS REQUIRED. WE BELIEVE OUR POSITION SUPPORTABLE BY BOTH PRACTICAL AND LEGAL ARGUMENTS, BUT WOULD PREFER DISCUSSION BE KEPT IN PRACTICAL TERMS TO AVOID LENGTHY DEBATE AND UNNECESSARILY INCURRING OPPOSITION ON BASIS OF LEGAL INTERPRETATION.

4. PRACTICAL ARGUMENT. WE UNDERSTAND SOME OPPOSITION TO SPECIAL SESSIONS BASED ON FACT SOME SPECIAL SESSIONS (SUCH AS UPCOMING ONE OF CND), CAN COST TWICE AS MUCH AS REGULAR SESSION BECAUSE OF NEED FOR LAST MINUTE ARRANGEMENTS AND IMPROVISATIONS. OUR INVESTIGATIONS REVEAL, HOWEVER, THAT ADDITIONAL COSTS CAN BE AVOIDED BY INFORMING SECRETARIAT WELL IN ADVANCE SO IT CAN MAKE ARRANGEMENTS PERMITTING SPECIAL SESSION TO BE HELD AT APPROXIMATELY LIMITED OFFICIAL USE

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SAME EXPENSE AS REGULAR SESSION. WE ALSO UNDERSTAND THAT ADDITIONAL SAVINGS OF ABOUT DOLS 30,000 CAN BE REALIZED BY DISPENSING WITH SUMMARY RECORDS. WE THEREFORE INTEND PROPOSE THAT CND ADOPT RESOLUTION NOTING SERIOUSNESS PRESENT ILLICIT DRUG SITUATION AND NEED FOR SPECIAL SESSION CND IN GAQRAGAND RECOMMENDING TO ECOSOC RESOLUTION AUTHORIZING SPECIAL SESSION. WE ALSO PROPOSE CND AUTHORIZE DISPENSING WITH SUMMARY RECORDS AT SPECIAL SESSION. WE

BELIEVE OUR PROPOSALS MAINTAIN ECOSOC PRINCIPLE OF BIENNIAL MEETINGS AND SATISFY PRESENT NEED FOR ADDITIONAL SESSIONS AT MINIMUM EXPENSE.

5. TO THE ARGUMENT THAT WORK OF CND AND DIVISION OF NARCOTIC DRUGS IS IMPAIRED BY BIENNIAL CYCLE BECAUSE DOCUMENTS THEY RECEIVE CONTAIN OBSOLETE INFORMATION, WE RESPOND THAT PROBLEM COULD BE MET AS GENERAL PRACTICE BY INSTITUTING PROCEDURES FOR DISTRIBUTING DOCUMENTS TO CND MEMBERS FOR COMMENTS BY MAIL OR BY HAVING THEM REVIEWED BY CND STANDING COMMITTEE. WE AGREE THAT FOR DURATION PRESENT PROBLEM CND MUST FOLLOW VARIATIONS IN TRAFKIC CLOSELY, BUT BELIEVE SPECIAL SESSION WILL SATISFY THIS SPECIAL NEED.

6. WE HAVE POINTED OUT THAT WITH ADVANCE PLANNING, SPECIAL SESSIONS CAN BE HELD AT COSTS SIMILAR TO SPECIAL SESSIONS. EVEN IF SPECIAL SESSIONS INEVITABLY MORE EXPENSIVE, HOWEVER, CND COULD STILL JUSTIKY HOLJING THEM BECAUSE

ECOSOC PRINCIPLE OF BIENNIAL MEETINGS AFFECTS OTHER ORGANIZATIONS WHICH MIGHT WANT REGULATIONS CHANGED FOR THEIR BENEFIT ALSO, WERE CND TO INSTITUTE ANNUAL MEETINGS. SUCH BREAKDOWN OF PRINCIPLE COULD COST MORE IN LONG RUN THAN EVEN EXTRA EXPENSE INVOLVED IN UNPLANNED SPECIAL SESSIONS OF CND.

7. LEGAL ARGUMENT: WE PLAN USE THIS ONLY IF PROPONENTS OF REGULAR ANNUAL SESSIONS INSIST PHRASING ARGUMENTS IN LEGAL TERMS. MAIN ARGUMENT LIKELY TO BE USED IS THAT SINGLE CONVENTION WAS DRAKTED ON ASSUMPTION CND WOULD MEET ANNUALLY, BECAUSE ARTICLE 15 PROVIDES FOR INTERNATIONAL NARCOTICS CONTROL BOARD (INCB) TO PREPARE ANNUAL REPORTS FOR SUBMISSION TO ECOSOC THROUGH CND, WHICH MAY MAKE SUCH LIMITED OFFICIAL USE

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COMMENTS AS IT SEES FIT. ALTHOUGH THIS FACT BY ITSELK MIGHT SUPPORT INFERENCE CONVENTION DRAKTERS THOUGHT CND WOULD MEET ANNUALLY, REMAINDER OF ARTICLE 15 INVALIDATES INFERENCE BY PROVIDING, UN*ER SAME ARRANGEMENTS FOR PROCESSING, THAT INCB MAY PREPARE "SUCH ADDITIONAL REPORTS AS IT CONSIDERS NECESSARY." IF ONE ARGUES THAT CND MUST MEET ANNUALLY TO REVIEW INCB'S ANNUAL REPORT, CONSISTENCY WOULD REQUIRE ADDITIONAL MEETINGS TO REVIEW ADDITIONAL REPORTS INCB CONSIDERS NECESSARY TO PREPARE. WE DOUBT CONVENTION DRAKTERS CONTEMPLATED SUCH FREQUENT MEETINGS OF CND; WE BELIEVE IT MORE REASONABLE TO INFER THEY EXPECTED CND TO UTILIZE PROCEDURE FOR POLLING MEMBERS BY MAIL OR TO ESTABLISH STANDING COMMITTEE FOR THESE MATTERS.

8. OUR INTERPRETATION SUPPORTED BY FACT ECOSOC ADOPTED

RESOLUTIONS CALLING FOR BIENNIAL SESSIONS AFTER SINGLE
CONVENTION CAME INTO FORCE ON DECEMBER 13, 1964. THIS
ACTION BY ECOSOC, PERFORMED IN FULL AWARENESS OF TERMS OF
SINGLE CONVENTION, MUST BE INTERPRETED AS MEANING THAT
ECOSOC PERCEIVES NO LEGAL REQUIREMENT FOR ANNUAL CND
SESSIONS. KISSINGER UNQUOTE RUSH

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